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14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA

17 **MALCOLM L. LANDRY,**

18 Plaintiff,

19 v.

20 **MIKE BERRY and BRENT JENKINS,**

21 Defendants.

CASE NO: CV10-04707 RS

**JOINT STIPULATION AND  
[PROPOSED] ORDER CONTINUING  
EARLY NEUTRAL EVALUATION  
DEADLINE AND CASE  
MANAGEMENT CONFERENCE**

1 IT IS HEREBY STIPULATED BY AND BETWEEN Plaintiff MALCOLM L.  
2 LANDRY and defendants MIKE BERRY and BRENT JENKINS, through their respective  
3 attorneys of record, as follows:

4 This case is currently scheduled for a second Case Management Conference on May  
5 19, 2011.

6 The matter was referred to Early Neutral Evaluation (ENE) on January 28, 2011 and  
7 deadline for the ENE session is April, 2011, if possible. All parties have been actively  
8 engaged in the necessary discovery to undertake a meaningful ENE session. Plaintiff's  
9 deposition is currently set for April 6, 2011 in Reno, Nevada. Due to calendaring conflicts  
10 the depositions of both defendants and a few witnesses are set for May 4-5, 2011 in  
11 Eureka, California, the earliest mutually convenient date for all involved. An ENE phone  
12 conference was held March 14, 2011. In order to complete the above discovery and based  
13 on availability of the parties, counsel and the ENE Evaluator, the ENE session was set for  
14 May 24, 2011.

15 The parties are requesting an extension of the ENE deadline to May 31, 2011, and  
16 counsel request that the date for the Case Management Conference be extended to  
17 Thursday June 9, 2011.

18  
19 DATED: March 15, 2011

Law Office of Diane K. Vaillancourt  
Law Office of Terri Keyser-Cooper

21 By: /s/ Diane K. Vaillancourt

22 Diane K. Vaillancourt  
23 Terri Keyser-Cooper  
Attorneys for Plaintiff

24 DATED: March 15, 2011

California Attorney General's Office

26 By: /s/ David W. Hamilton

27 David W. Hamilton  
Attorney for Defendant Mike Berry

1 DATED: March 15, 2011

MITCHELL, BRISSO, DELANEY & VRIEZE, LLP

2  
3 By: /s/ John M. Vrieze

John M. Vrieze

4 Attorney for Defendant Brent Jenkins

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6 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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8  
9 Dated: 3/15/11



10 Honorable Richard Seeborg  
11 United States District Judge  
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